

HONORABLE LAUREN KING

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD MOONEY,

Plaintiff,

v.

ROLLER BEARING COMPANY OF
AMERICA, INC., a Delaware corporation,

Defendant.

No. 2:20-cv-1030-LK

JOINT ~~[PROPOSED]~~ PRETRIAL ORDER

JURISDICTION

The parties agree this Court has jurisdiction of this case pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1367(a).

CLAIMS

Plaintiff is pursuing a disability discrimination claim under the Washington Law Against Discrimination (RCW 49.60 et seq.), and interference claims under the state and federal Family Medical Leave Act (RCW 50A et seq. & 29 U.S.C. § 3601 et seq.). Mr. Mooney asserts that Defendant Roller Bearing Company of America (hereinafter “RBC”) wrongfully terminated him in violation of Washington’s Law Against Discrimination, Washington’s Family Medical Leave Act, and the federal Family Medical Leave Act, because he extended

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(CASE NO. 2:20-cv-1030-LK)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 his medical leave. Mr. Mooney also claims that he sustained damages as a result of his wrongful
2 termination.

3 Defendant denies these claims and asserts the following affirmative defense: failure to
4 mitigate damages.

5
6 **ADMITTED FACTS**

7 1. RBC is a manufacturer and marketer of highly engineered precision bearings
8 and products, which are integral to the manufacture and operations of most machines, aircraft,
9 and mechanical systems.

10 2. RBC is headquartered in Oxford, Connecticut.

11 3. RBC hired Richard Mooney as an outside salesperson (a “sales engineer”) for
12 RBC’s Industrial Sales division on March 19, 2018.

13 4. One of the expectations of an RBC sales engineer is writing reports of call
14 (ROCs) covering the high points of impactful sales.

15 5. ROCs informed RBC’s managers and product managers of activity in the field.

16 6. On the date Mr. Mooney was hired, he was 66 years old. He had over 40 years
17 of experience in the sales industry, with nearly 20 of those years exclusively in outside sales.

18 7. His salary with RBC was \$100,000 or \$8,333.34 per month.

19 8. In addition to his annual salary, Mr. Mooney was also eligible for a
20 discretionary bonus of up to 15 percent of his base salary which, if he qualified, was to be
21 paid approximately six months following the completion of the company’s fiscal year, which
22 went from April 1 through March 31.

23 9. Mr. Mooney’s sales territory with RBC when he was hired was Washington,
24 Oregon, and Idaho (Pacific Northwest).

25 10. Approximately seven months later, Mr. Mooney’s sales territory was expanded

1 to include British Columbia and Alberta, Canada.

2
3 11. A few months after Mr. Mooney joined RBC, his direct supervisor, John
4 Talley, started emailing him to remind him that he needed to write more ROCs to meet the
5 company's reporting expectations.

6 12. Mr. Mooney's failure to write ROC reports as expected led him to being
7 placed on a Performance Improvement Plan on February 8, 2019.

8 13. The PIP was in effect for sixty business days (February 8, 2019, through May
9 3, 2019).

10 14. On October 16, 2019, RBC gave Mr. Mooney a discretionary bonus of \$4,000.

11 15. Mr. Mooney and Mr. Talley executed the approved FY2019 evaluation on
12 January 6, 2020.

13 16. On January 10, 2020, Mr. Talley advised Mr. Mooney he would not receive a
14 merit-based increase.

15 17. On that same date (January 10, 2020), Mr. Mooney saw his physician and was
16 diagnosed with "depressive illness."

17 18. Mr. Mooney gave RBC a letter from his physician regarding the depressive
18 illness and RBC sent Mr. Mooney an FMLA certification paperwork to be completed.

19 19. Mr. Mooney and his physician completed the FMLA paperwork on or about
20 January 16, 2020 and returned it to RBC.

21 20. The completed FMLA paperwork indicated that Mr. Mooney would be
22 incapacitated from January 10, 2020 to February 15, 2020.

23 21. Cathy DePaola, RBC's HR Manager, reviewed the completed paperwork on
24 January 16, 2020, and approved Mr. Mooney's leave as FMLA qualifying.

25 22. During Mr. Mooney's FMLA leave, Mr. Talley covered Mr. Mooney's Pacific

1 Northwest territory (Washington, Oregon and Idaho).

2 23. On February 13, 2020, Mr. Mooney had a follow-up visit with his physician.

3 24. His physician recommended that Mr. Mooney take another month off from
4 work because he was still suffering from depression.

5 25. His physician completed a second FMLA certification on February 18, 2020,
6 which indicated that Mr. Mooney would be incapacitated from February 15, 2020 to March
7 23, 2020.

8 26. On February 19, 2020, RBC received this second FMLA certification and
9 approved Mr. Mooney's FMLA leave, extending it to March 23, 2020.

10 27. On March 18, 2020, Mr. Mooney emailed Ms. DePaola and Mr. Talley to let
11 them know that he was scheduled to return to work on March 23, 2020, and wanted to know if
12 there were any operating protocols that he needed to be aware of related to the COVID-19
13 pandemic before he could return to work.

14 28. On March 20, 2020, Ms. DePaola responded to Mr. Mooney by telling him
15 that he needed to submit a doctor's release to return to work.

16 29. On April 1, 2020, Mr. Mooney sent an email to his regional manager and Ms.
17 DePaola to let them know that he still had not heard from his doctor regarding the release.

18 30. On April 3, 2020, Mr. Mooney received the correct release to return to work,
19 which he then sent to RBC.

20 31. Ms. DePaola responded on April 6, 2020 and told Mr. Mooney that his "return
21 to work is 4/6/2020".

22 32. Mr. Mooney was feeling better and was ready to return to work.

23 33. Mr. Mooney's physician determined that Mr. Mooney could perform the
24 essential functions of his job when he was ready to return to work on April 6, 2020.

1 34. On April 6, 2020, RBC notified Mr. Mooney that he was being laid off because
2 of the companywide RIF due to COVID-19 and the anticipated downturn in business.

3 35. On June 3, 2020, Mr. Mooney filed his lawsuit against RBC in King County
4 Superior Court.

5 36. RBC was served with Mr. Mooney's lawsuit papers known as summons and
6 complaint on June 8, 2020.

7
8 **ISSUES OF LAW**

9 Depending on the jury's verdict, the court may have to decide whether Mr. Mooney is
10 entitled to liquidated damages under the state and federal FMLA.

11 **EXPERT WITNESSES**

12 (1) On behalf of defendant:

13 Anita Willemse, MPAcc, CPA/ABV, CFE
14 1144 Federal Ave. East
15 Seattle, WA 98102
16 (206) 860-9672.

17 Ms. Willemse is a forensic accountant and business valuation expert and is expected to testify
18 regarding the opinions contained in her expert report.

19 William B. Skilling, M.A., C.R.C., C.D.M.S., C.L.C.P.
20 4616 25th Avenue Northeast
21 PMB 249
22 Seattle, WA 98105
23 (206) 227-9675.

24 Mr. Skilling is a vocational rehabilitation expert and is expected to testify regarding the
25 opinions contained in his expert report.

OTHER WITNESSES

 The names and addresses of witnesses, other than experts, to be used by each party at the time

1 of trial and the general nature of the testimony of each are:

2 (a) On behalf of plaintiff:

3 Richard Mooney
4 c/o Premier Law Group
5 1408 140th PL NE
6 Bellevue, WA 98007
(206) 285-1743

7 Mr. Mooney will testify about all facts related to the issues in this case, including his
8 damages.

9 Susan Mooney
10 c/o Premier Law Group
11 1408 140th PL NE
Bellevue, WA 98007
(206) 285-1743

12 Ms. Mooney will testify about all relevant facts based on her personal knowledge
13 related to her husband's damages.

14 Cathy DePaola
15 c/o Corr Cronin
16 1001 Fourth Ave., STE 4300
Seattle, WA 98154
17 (206) 625-8600

18 Ms. DePaola may testify depending on the testimony of the other witnesses. If called
19 to testify, she would testify about all relevant facts based on her personal knowledge related to
20 the issues in this case.

21
22 John Talley
23 c/o Corr Cronin
24 1001 Fourth Ave., STE 4300
Seattle, WA 98154
25 (206) 625-8600

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CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 Mr. Talley will testify about all relevant facts based on his personal knowledge related
2 to the issues in this case.

3 Steve Ross
4 c/o Corr Cronin
5 1001 Fourth Ave., STE 4300
6 Seattle, WA 98154
7 (206) 625-8600

8 Mr. Ross will testify about all relevant facts based on his personal knowledge related
9 to the issues in this case.

10 Chris Curran
11 c/o Corr Cronin
12 1001 Fourth Ave., STE 4300
13 Seattle, WA 98154
14 (206) 625-8600

15 Mr. Curran may testify depending on the testimony of the other witnesses. If called to
16 testify, he would testify about all relevant facts based on his personal knowledge related to the
17 issues in this case.

18 Peter Lensing
19 c/o Corr Cronin
20 1001 Fourth Ave., STE 4300
21 Seattle, WA 98154
22 (206) 625-8600

23 Mr. Lensing may testify depending on the testimony of the other witnesses. If called
24 to testify, he would testify about all relevant facts based on his personal knowledge related to
25 the issues in this case.

(b) On behalf of defendant:

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CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
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Tel (206) 625-8600
Fax (206) 625-0900

1 Cathy DePaola
2 c/o Corr Cronin
3 1001 Fourth Ave., STE 4300
4 Seattle, WA 98154
5 (206) 625-8600

6 Ms. DePaola will testify about all relevant facts based on her personal knowledge related to
7 the issues in this case.

8 Robin Coleman
9 c/o Corr Cronin
10 1001 Fourth Ave., STE 4300
11 Seattle, WA 98154
12 (206) 625-8600

13 Ms. Coleman may testify about all relevant facts based on her personal knowledge related to
14 the issues in this case.

15 John Talley
16 c/o Corr Cronin
17 1001 Fourth Ave., STE 4300
18 Seattle, WA 98154
19 (206) 625-8600

20 Mr. Talley will testify about all relevant facts based on his personal knowledge related to the
21 issues in this case.

22 Steve Ross
23 c/o Corr Cronin
24 1001 Fourth Ave., STE 4300
25 Seattle, WA 98154
(206) 625-8600

Mr. Ross will testify about all relevant facts based on his personal knowledge related to the
issues in this case.

Chris Curran
c/o Corr Cronin
1001 Fourth Ave., STE 4300
Seattle, WA 98154

1 (206) 625-8600

2 Mr. Curran may testify about all relevant facts based on his personal knowledge related to the
3 issues in this case.

4 Peter Lensing
5 c/o Corr Cronin
6 1001 Fourth Ave., STE 4300
7 Seattle, WA 98154
8 (206) 625-8600

9 Mr. Lensing may testify about all relevant facts based on his personal knowledge related to
10 the issues in this case.

11 Records Custodian
12 c/o Corr Cronin
13 1001 Fourth Ave., STE 4300
14 Seattle, WA 98154
15 (206) 625-8600

16 If necessary, a records custodian will testify about the authenticity of any RBC documents
17 RBC intends to introduce over Plaintiff's objection.

18 Plaintiff may call some or all of these RBC employee witnesses during his case in chief.
19 If so, RBC has agreed to make them available (via zoom or live, at its discretion) and to
20 coordinate on scheduling. The parties have further agreed, for the sake of witness convenience
21 and judicial economy, that the defendant may conduct its direct examination of these witnesses
22 at the time they are called by plaintiff.
23
24
25

EXHIBITS**(1) Plaintiff's Proposed Exhibits**

Ex. #	Description	Authenticity	Admissibility	Objection	Admitted
1	Mooney's Employment Offer Letter, dated 3/1/18 (Bates RBC 000062 – 63)				XX
2	Email from R. Mooney to J. Talley dated 5/11/18 re Bourne ROC (RBC 000537 – 539)				XX
3	Email from R. Mooney to J. Talley dated 6/1/18 re ROC (RBC 000859)				XX
4	Email from J. Talley to R. Mooney dated 11/13/18 (RBC 000875)				XX
5	Email from Ashlee Chlasta to DSM dated 1/30/19 re ROC due dates (RBC 000845-0846)				XX
6	Email from Ashlee Chlasta to Talley re Salesman PE - Q3, dated 2/8/19 (RBC 0001038)				XX
7	Salesman Mooney PE - Q3, dated 2/1/19 (RBC 0001039) – 3 pages				XX
8	Email from J. Talley to R. Mooney re PIP 2/12/19 (RBC 000265-266)				XX
9	Performance Improvement Plan, dated 2/14/19				XX

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1001 Fourth Avenue, Suite 3900
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Fax (206) 625-0900

	(Bates RBC 000282)				
10	Email, dated 7/15/19, from Talley to Mooney (Bates RBC 000713 – 716)				XX
11	Email, dated 7/22/19, from Talley to Mooney (Bates RBC 000722 – 726)				XX
12	Email, dated 7/22/19, from Mooney to Talley (Bates RBC 000727 – 731)				XX
13	Email, dated 9/3/19, b/w Mooney & Talley (Bates RBC 000855 - 856)				XX
14	Email, dated 9/24/19, from Talley to Mooney (Bates RBC 000732 - 737)				XX
15	Email, dated 9/24/19, from Mooney to Talley (Bates RBC 000738 - 739)				XX
16	Email, dated 9/24/19, from Talley to Mooney (Bates RBC 000740 - 742)				XX
17	John Talley's Sales Call & ROC Summary - West Region President's Call Sales Meeting 9/26/19 (RBC 001060)				XX
18	Matt Michels' Sales Calls & ROC Summary - West Region President's Call				XX

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	Sales Meeting 9/26/19 (RBC 001069)				
19	Richard Mooney's Sales Call & ROC Summary - West Region President's Call Sales Meeting 9/26/19 (RBC 001087)				XX
20	Dave Cox Sales Calls & ROC Summary (Exh. A - Ross Decl.)				XX
21	Ross's email, dated 9/30/19, to Mooney & Talley (Bates RBC 000403 - 408)				XX
22	RBC PAF, dated 10/16/19 (Bates RBC 000082)				XX
23	Email from S. Ross to R. Mooney re ROC's dated 10/29/2019 (RBC 00409)				XX
24	Email, dated 12/13/19, from Mooney to Talley (Bates RBC 000768 – 774). Form				XX
25	RBC North American Industrial Sales Performance Evaluation, dated 1/6/20 (Bates RBC 000293 – 298)				XX
26	Email, dated 1/9/20 from Steve Ross (Bates RBC 000308 - 310)				XX

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27	Email, dated 1/11/20, from Mooney to J Talley (Bates RBC 000311 - 314)				XX
28	Email, dated 1/13/20, from S. Ross (Bates RBC 000321 – 323)				XX
29	Talley's email, dated 1/13/20, to Steve (Bates RBC 000417 – 420)				XX
30	Talley's email, dated 1/14/20, and timeline (Bates RBC 000329-330)				XX
31	Email, dated 1/16/20 from Mooney to Cathy & Robin (Bates RBC 000433 – 437)				XX
32	Mooney email, dated 2/7/20 to Cathy & John (Bates RBC 000331-332)				XX
33	Email, dated 2/19/20 from Mooney to Cathy & Robin (Bates RBC 000353 – 358)				XX
34	Steve Ross's Interoffice Personnel Announcement, dated 3/2/20 (Bates RBC 001009)				XX
35	Email, dated 3/12/20, from Curran to Ross (Bates RBC 000512 -513)				XX
36	Email from J. Gajewski to S. Ross re sales summary, dated 3/17/20 (RBC 001182)				XX

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CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

37	North American Industrial Field Sales – Summary Report, dated 3/17/20 (RBC 001104 – 1107)				XX
38	Salesman Summary – 2020 vs 2019, dated 3/17/20 (RBC 001210 – 1235)		XX	ER 402, 403	
39	Email, dated 3/18/20 from Talley to Ross (Bates RBC 000379 – 380)				XX
40	Email, dated 3/18/20 from DePaola to Ross (Bates RBC 000470)				XX
41	Email, dated 3/19/20 from Talley to Mooney (Bates RBC 000381)				XX
42	Email, dated 3/20/20 from Cathy to Mooney (Bates RBC 000385 – 387)				XX
43	Email, dated 3/20/20 b/w Cathy & Mooney (Bates RBC 000388 – 390)				XX
44	Mooney email to Dr. Gan, dated 4/1/20 & email to Cathy & John (Bates RBC 000397 – 398)				XX
45	Memo re: RBC Industrial Sales Reduction in Force, dated 4/2/20 (Bates RBC 000127)				XX

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Fax (206) 625-0900

46	Email, dated 4/3/20 from Mooney (Bates RBC 000131 - 000132)				XX
47	Email, dated 4/6/20 b/w Talley & Steve (Bates RBC 000492 – 493) – redacted (MIL)				XX
48	Mooney Letter to Ross, dated 4/17/20 (Mooney 00097 – 100) – redacted		XX	ER 402, 403, 801	
49	RIF Criteria Notification Document (Bates RBC 000216 - 218)		XX	ER 402, 403	
50	Other Sales Engineers Pay (Bates RBC 000193-195)		XX	ER 403	
51	Spreadsheet re jobs applied for	XX		ER 901	
52	986 pages of emails re job applied for	XX		ER 901	
53	Map of North America				XX
54	Stipulated Facts from Proposed Pretrial Order				XX

(2) Defendant's Proposed Exhibits

Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
501	Verbal Warning to Richard Mooney from Keith Sowers dated 12/21/2017 (Renold 000015)	XX	XX	Rule 402, 403, 801, 901	
502	Richard Mooney Application letter to RBC Bearings w/ Resume dated 2/19/2018 (RBC 000029-0031)		XX	Rule 402, 403	

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CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
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Fax (206) 625-0900

Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
503	Richard Mooney Application for Employment dated 2/19/2018 (RBC 000018-0028)		XX	Rule 402, 403	
504	Acknowledgment of Receipt Equal Employment Opportunity Policy / Non-Discrimination Procedure signed 3/5/2018 (RBC 000046)		XX	Rule 402, 403	
505	Email from J. Talley to R. Mooney forwarding ROC training materials dated 5/11/18 (RBC 000815-0816)				XX
506	RBC Bearings ROC Writing Template Use dated 5/1/18 (RBC 000817-838)				XX
507	RBC Bearing Report of Call Form – blank (000839-0840)				XX
508	RBC Bearing Report of Call Form – example (RBC 000843-0844)		XX	Rule 402, 403	
509	Email from R. Mooney to J. Talley re FY19 Performance Evaluation attaching Performance Evaluation dated 6/5/2018 (RBC 000401-0402)				XX
510	Email form J. Talley to R. Mooney re ROC dated 6/12/18 (RBC 000553-0555)				XX
511	Email from J. Talley to R. Mooney re ROC reports dated 7/2/2018 (RBC 000864)				XX
512	Email from J. Talley to R. Mooney re Ship RPT Richard Mooney dated 8/27/2018 (RBC 000865-0866)				XX
513	Email from Talley to Mooney reship Rpt: Richard Mooney dated 8/27/2018 (RBC 000867-0868)				XX
514	Email from J. Talley to R. Mooney re Ship RPT Richard Mooney dated 8/27/2018 (RBC 000869-0870)				XX
515	Email form J. Talley to R. Mooney, M. Michels re				XX

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CORR CRONIN LLP
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Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
	Example of “short” ROC dated 10/11/2018 (RBC 000841-0842)				
516	Email from J. Talley to R. Mooney attaching Mooney PE Q2 Evaluation dated 12/3/2018 (RBC 000879-880)		XX	Rule 402, 403, 901	
517	Email from J. Talley to R. Mooney re DSE Report – ROC Count dated 12/12/2018 (RBC 000881)				XX
518	Email between J. Talley and T. Martell re West Region DST Total Update dated 1/24/2019 (RBC 001026-1027)				XX
519	Email between J. Talley and T. Martell re West Region DST Total Update dated 1/24/2019 (RBC 001028-1029)				XX
520	Email from J. Talley to T. Martell re Richard Mooney (RBC 001033)				XX
521	Email from R. Mooney to J. Talley re Mooney PIP 2019 dated 2/12/2019 (RBC 000709-0710)				XX
522	Talley Evaluation December 2018 signed 2/15/2019 (ROC001043-1044)				XX
523	Email from R. Mooney to C. DePaola re Mooney PIP 2019 dated 2/18/2019 (RBC 000279-0280)				XX
524	Email from J. Talley to R. Mooney re RBC Applied Pasco Rebate dated 3/8/2019 (RBC 000559-0569)				XX
525	Email from J. Amend re ROC Distribution list dated 4/19/2019 (RBC 000935-0936)				XX
526	Email from J. Gajewski to R. Mooney re ROC Incomplete dated 5/10/2019 (RBC 000851-0852)				XX
527	Emails between J. Huck and R. Mooney re \$50,000 Opportunity dated 6/21/2019				XX

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1001 Fourth Avenue, Suite 3900
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Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
	(RBC 000895-901)				
528	Email from R. Mooney to J. Talley re Richard Mooney-PE FY 19 attaching re Richard Mooney- Performance Evaluation 7/18/19 (RBC 000717-0718)				XX
529	Email from J. Talley to T. Benigni, M. Michels, R. Mooney, V. Deveze re Salesforce Updates dated 8/9/2019 (RBC 000939)				XX
530	Email from R. Mooney re Tales from the Crypt dated 9/11/2019 (RBC 000548-0549)				XX
531	Email from R. Mooney to J. Talley re SalesfArce.com dated 9/13/2019 (RBC 000940)				XX
532	Email from R. Mooney to J. Talley re Presidents Report dated 9/18/2019 (RBC 000953)				XX
533	RBC Bearings West Region President's Call Sales Meeting Sept 26, 2019 - Mooney (RBC 000954-0963)		XX	Rule 402, 403	
534	Email from R. Mooney to J. Talley re Presidents Report dated 9/19/2019 (RBC 000964-965)				XX
535	Email from S. Ross to J. Talley, T. Benigni, M. Michels, V. Deveze, R. Mooney re West President's Call Presentation – Final – Sept 26 dated 9/23/2019 (RBC 001051)				XX
536	Email from S. Ross to J. Talley, T. Benigni, M. Michels, V. Deveze, R. Mooney re West Region President's Call dated 9/26/2019 (RBC 000410)				XX

JOINT [PROPOSED] PRETRIAL ORDER - 18
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CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
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Fax (206) 625-0900

Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
537	Emails between S. Ross, R. Mooney, J. Talley re Mooney Performance dated 11/8/2019 (RBC 000749-754)				XX
538	Email from R. Mooney to J. Talley re Mooney Performance Review dated 12/11/2019 (RBC 000755-761)				XX
539	Email from S. Ross to J. Talley re Mooney Review dated 1/6/2020 (RBC 000283-0290)				XX
540	Richard Mooney Performance Evaluation – signed 1/6/2020 (RBC 000302-0307)				XX
541	Emails between J. Talley to S. Ross re Performance evaluation dated 1/13/2020 (RBC 000417-419)				XX
542	Talley / Mooney Performance evaluation discussion 1-10-2020 (RBC 00420)				XX
543	CDC Museum COVID-19 Timeline Late 2019 thru 11/29/2021				XX
544	RBC Bearings HR Termination RIF Lay off Check List dated 4/6/2020 (RBC 000133-0134)		XX	Rule 402, 403	
545	RBC Bearings HR Termination RIF Benefits Summary dated 4/6/2020 (RBC 000135-0136)				XX
546	Emails between R. Mooney, C. DePaola, J. Talley, R. Coleman re Release Letter dated 4/6/2020 (RBC 000455-0456)				XX
547	10/20/2020 Organization Announcement – Peter F. Lensing (Ex. 80 to Lensing Dep; LENSING 000001-0003.				XX
548	Current Richard Mooney Resume (Mooney000073-0074)		XX	Rule 402, 403, 801	
549	Defendant's First Requests for Admission to Plaintiff and		XX	Rule 402, 403	

JOINT [~~PROPOSED~~] PRETRIAL ORDER - 19
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Exh. No.	Description of Exhibit	Authenticity	Admissibility	Objection	Admitted
	Plaintiff's Responses Thereto dated 2/25/2021				
550	Defendant Roller Bearing Company of America, Inc.'s First Set of Interrogatories and Requests for Production of documents to Plaintiff Richard Mooney and Plaintiff's Answers Thereto dated 3/9/2021		XX	Rule 402, 403	
551	Report of Anita Willemse dated 10/18/2021		XX	Rule 402, 403, 801	
552	Anita Willemse CV		XX	Rule 402, 403, 801	
553	Report of William Skilling dated 10/18/2021		XX	Rule 402, 403, 801	
554	William Skilling CV		XX	Rule 402, 403, 801	

DATED this 17th day of May, 2022.

PREMIER LAW GROUP, PLLC

/s/ Patrick J. Kang

Patrick J. Kang, WSBA #30726

Of Counsel for Plaintiff

1408 140th PL NE

Bellevue, WA 98007

(206) 285-1743

patrick@premierlawgroup.com

- And -

JOINT ~~[PROPOSED]~~ PRETRIAL ORDER - 20
(CASE NO. 2:20-cv-1030-LK)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

CORR CRONIN LLP

/s/ Taryn Basauri

Blake Marks-Dias, WSBA No. 28169

Taryn Basauri, WSBA No. 51637

1001 Fourth Avenue, Suite 3900

Seattle, Washington 98154

(206) 625-8600 Phone

(206) 625-0900 Fax

bmarksdias@corrchronin.com

tbasauri@corrchronin.com

Attorneys for Defendant Roller Bearing

Company of America, Inc.

ACTION BY THE COURT

This case is scheduled for trial before a jury on May 23, 2022, at 9:00 a.m.

This order has been approved by the parties as evidenced by the signatures of their counsel. This order shall control the subsequent course of the action unless modified by a subsequent order.

This order shall not be amended except by order of the court pursuant to agreement of the parties or to prevent manifest injustice.

DATED this 18th day of May, 2022.



United States District Judge